



House of Representatives

File No. 807

General Assembly

January Session, 2017

(Reprint of File No. 483)

Substitute House Bill No. 6347
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 30, 2017

**AN ACT CONCERNING PET OWNER ACCESS TO STATE AGENCY
RECORDS OF INVESTIGATION FOR COMPLAINTS OF
WRONGDOING BY VETERINARIANS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsections (a) and (b) of section 20-204a of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2017*):

4 (a) The department shall investigate each allegation of any act or
5 omission by a veterinarian specified in section 20-202. The
6 investigation shall be conducted in accordance with the provisions of
7 section 19a-14 to determine if probable cause exists to issue a statement
8 of charges and to institute proceedings against the veterinarian. Such
9 investigation shall be concluded not later than twelve months from the
10 date the allegation is submitted to the department.

11 (b) Except as provided in subsections (c) and (d) of this section, the
12 investigation shall be confidential and not subject to disclosure under
13 section 1-210 and no person may disclose knowledge of the

- 14 investigation to a third party unless the veterinarian requests that the
15 investigation be open. The owner of any animal that is the subject of
16 such an investigation shall not be deemed a third party to such an
17 investigation for purposes of disclosure under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	20-204a(a) and (b)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill, which allows certain pet owners/custodians to have access to specified Department of Public Health records, does not result in a fiscal impact to the state or municipalities.

House "A" made clarifying changes to the underlying bill that are not anticipated to result in a fiscal impact to the state or municipalities

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sHB 6347 (as amended by House "A")******AN ACT CONCERNING PET OWNER ACCESS TO STATE AGENCY RECORDS OF INVESTIGATION FOR COMPLAINTS OF WRONGDOING BY VETERINARIANS.*****SUMMARY**

This bill allows certain pet owners to have access to Department of Public Health (DPH) records of an investigation against a veterinarian. Under current law, with limited exceptions, DPH's veterinarian investigations are confidential, exempt from disclosure under the Freedom of Information Act, and may not be disclosed to a third party (see BACKGROUND).

The bill specifies that the owner of an animal that is the subject of a DPH investigation against a veterinarian is not a third party for purposes of disclosure. Therefore, the owner may receive information about the investigation.

*House Amendment "A" limits access to DPH's veterinarian investigation records to pet owners instead of pet owners and those responsible for the animal's custody and control.

EFFECTIVE DATE: October 1, 2017

BACKGROUND***DPH Investigations of Veterinarians***

State law requires DPH to investigate allegations of wrongdoing by veterinarians to determine if probable cause exists to issue charges and take disciplinary action against them (CGS § 20-204a). An investigation must be conducted within 12 months after DPH receives an allegation.

If DPH makes a finding of no probable cause or fails to make a finding within the 12-month period, the allegation, investigation, and related records remain confidential and no one may disclose knowledge of the investigation to a third party unless the veterinarian requests that it be disclosed.

If DPH finds there is probable cause to take disciplinary action, the allegation, investigation, and related records become a public record, disclosable under the Freedom of Information Act.

Allegations of Wrongdoing

By law, allegations against a veterinarian may include things such as fraudulent use of health certificates, incompetence, cruel or negligent treatment of animals, failure to keep veterinary premises and equipment clean and sanitary, and failure to comply with continuing education requirements (CGS § 20-202).

Disciplinary Action Allowed

By law, disciplinary action may include revocation or suspension of the veterinarian's license, a reprimand, probation, or civil fine of up to \$25,000 (CGS § 19a-17).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 30 Nay 0 (03/22/2017)

Public Health Committee

Joint Favorable

Yea 15 Nay 6 (04/20/2017)